

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Zimmer BESS LLC

)

Docket No. ER26-2321-000

**PJM INTERCONNECTION, L.L.C.
MOTION TO INTERVENE AND COMMENTS**

Pursuant to Rules 213 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. §§ 385.213 and 385.214, and the Commission’s April 28, 2026 Combined Notice of Filings #1, PJM Interconnection, L.L.C. (“PJM”) submits this Motion to Intervene and Comments on the Petition for Limited, Prospective Waiver, Request for Shortened Comment Period, and Request for Expedited Treatment¹ filed in the captioned docket by Zimmer BESS LLC (“Zimmer BESS”).

In the Waiver Request, Zimmer BESS seeks to waive certain provisions in Parts VI and VIII of the PJM Open Access Transmission Tariff (“Tariff”) that allow Interconnection Customers² to retain and transfer Capacity Interconnection Rights (“CIRs”) associated with a retiring generating facility, subject to certain restrictions.³ Zimmer BESS has submitted a New Service Request in Cycle #01 of PJM’s reformed interconnection process that

¹ *Zimmer BESS LLC*, Petition for Limited, Prospective Waiver, Request for Shortened Comment Period, and Request for Expedited Action, Docket No. ER26-2321-000 (Apr. 24, 2026) (“Waiver Request”).

² Terms not otherwise defined herein have the meaning set forth the Tariff.

³ *See* Tariff, Part VI, Subpart C, section 230.3.3 (“In the event of the Deactivation of a Generation Capacity Resource . . . any Capacity Interconnection Rights associated with such facility shall terminate one year from the Deactivation Date . . . unless the holder of such rights (including any holder that acquired the rights after Deactivation or removal of Capacity Resource status) has submitted a new Generation Interconnection Request up to one year after the Deactivation Date . . . which contemplates use of the same Capacity Interconnection Rights.”); Tariff, Part VI, Subpart C, section 230.4 (“Capacity Interconnection Rights may be sold or otherwise transferred subject to compliance with such procedures as may be established by the Transmission Provider” regarding such transfer and notice to the Transmission Provider “of any generation facilities that will use the Capacity Interconnection Rights after the transfer.”). *See also* Tariff, Part VIII, Subpart E, sections 426.C.3-4 (incorporating the requirements of Tariff, Part VI, Subpart C, sections 230.3.3 and 230.4).

includes transferred CIRs. PJM submits these comments to clarify that, notwithstanding the statement in the Waiver Request that PJM “has taken the position . . . that any change that [Zimmer BESS] makes to its interconnection request will result in the forfeiture of the CIRs” Zimmer BESS has retained from the recent deactivation of a generating facility,⁴ PJM does not oppose the Waiver Request.

I. MOTION TO INTERVENE

PJM moves to intervene as a party in this proceeding. PJM is the regional transmission organization for all or portions of Delaware, the District of Columbia, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia. PJM administers its Commission-filed Tariff, provides Transmission Service under the Tariff on the electric transmission facilities under PJM’s operational control, operates an energy and other markets, and otherwise conducts the day-to-day operations of the bulk power system of a multi-state electric Control Area. As the administrator of the Tariff and its interconnection process and a party to the service agreements relevant to the Waiver Request, PJM has a direct and substantial interest in this proceeding, which cannot be adequately represented by any other party. Therefore, the Commission should grant PJM intervenor status in this proceeding.

⁴ Waiver Request at 7-8.

II. COMMUNICATIONS

Correspondence and communications with respect to this filing should be sent to, and PJM requests the Secretary to include on the official service list, the following:⁵

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III. COMMENTS

Zimmer BESS seeks Commission authorization for waiver of the Tariff, to the extent necessary, to avoid forfeiture of the CIRs associated with deactivation of the Zimmer coal generation facility (“Zimmer Coal Facility”), an affiliated generating facility that deactivated on May 31, 2022.⁶ The Waiver Request explains that on May 8, 2023, Zimmer BESS submitted a New Service Request for a hybrid storage/solar Generating Facility, with a Maximum Facility Output of 800 megawatts (“MW”).⁷ On May 11, 2023, Zimmer

⁵ PJM requests waiver of Rule 203(b)(3) of the Commission’s Rules of Practice and Procedure, 18 C.F.R. § 385.203(b)(3), to permit all of the persons listed to be placed on the official service list for this proceeding.

⁶ Waiver Request at 5.

⁷ *See id.*

BESS notified PJM of its intent to transfer 692 MWs of CIRs associated with the Zimmer Coal Facility to its new interconnection request.⁸

Zimmer BESS's New Service Request is being studied as part of Cycle #01 of PJM's reformed interconnection process. PJM received a staggering number of applications for New Service Requests for Cycle #01—more than 800 in total—on or before the April 27, 2026 deadline.⁹ PJM is in the process of reviewing all Cycle #01 New Service Request applications and has not yet made any determinations with respect to Zimmer BESS's New Service Request application.

In order to efficiently and expediently process this staggering number of Applications, PJM required all Project Developers to submit their Applications through PJM's new processing tool, NextGen.¹⁰ PJM provided guidance indicating that Project Developers with previously submitted interconnection requests that include CIR transfers must resubmit their applications through NextGen, and that no changes to the application would be permitted as part of that submission.¹¹ Zimmer BESS explains that due to market changes since its original May 8, 2023 request, it intended to modify its original request to propose an 800 MW gas-fired Generating Facility, along with a request to retain the CIRs associated with the Zimmer Coal Facility.¹²

⁸ *See id.* at 5-6.

⁹ *See* PJM Interconnection, L.L.C., *Over 800 New Generation Projects Seek to Connect Under PJM's Reformed Process*, PJM Inside Lines (Apr. 29, 2026), <https://insidelines.pjm.com/over-800-new-generation-projects-seek-to-connect-under-pjms-reformed-process/>.

¹⁰ *See* Waiver Request at 6.

¹¹ *See* Waiver Request at 8.

¹² *See* Waiver Request at 10.

Zimmer BESS points to PJM’s guidance on the Cycle #01 application process to state that “it is PJM’s view that the CIR Restrictions currently prevent [Zimmer BESS] from modifying its interconnection request without forfeiting the Zimmer [Coal] Facility CIRs,” and that absent waiver, “PJM will terminate the CIRs that [Zimmer BESS] timely claimed in 2023.”¹³ PJM does not take a position as to Zimmer BESS’s characterization of its guidance. Rather, PJM submits these comments to clarify for the record in this proceeding that it does not oppose Zimmer BESS’s Waiver Request.

IV. CONCLUSION

For the reasons stated above, the Commission should grant PJM’s motion to intervene and consider these comments in its review of the Waiver Request.

Respectfully submitted,

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***Counsel for
PJM Interconnection, L.L.C.***

Dated: May 1, 2026

¹³ Waiver Request at 9-10.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C., this 1st day of May, 2026.

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